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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/756,932

01/14/2004

Robyn Lee Focazio

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EXAMINER

LIN, SHEW FEN

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/756,932

Applicant(s)

FOCAZIO ET AL.

Examiner

Shew-Fen Lin

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2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/14/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/14/04, 5/3/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

- a. This action is responsive to communications: application filed on 1/14/2004.
- b. Claims 1-20 are pending in this Office Action. Claims 1, 10, and 15 are independent claims.

### ***Claim Rejections – 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 10-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 10 is not limited to tangible embodiments. In view of Applicant's disclosure, specification page 24, lines 8-18, the medium is not limited to tangible embodiments, instead being defined as including both tangible embodiments (e.g. disk, memory) and intangible embodiments (e.g. signal bearing media, radio frequency, light wave). As such, the claim is not limited to statutory subject matter and is therefore non-statutory.

Regarding claims 11-14 depend from rejected claim 10, comprise the same deficiencies as those claims directly or indirectly by dependence, and are therefore rejected on the same basis.

### ***Claim Objections***

Claim 7 is objected to because of the following informalities: "The method of claim 7".  
A singular dependent claim is permissible in which a dependent claim refers to a preceding

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claim. It should be kept in mind that a dependent claim may refer to any preceding independent claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1 -20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Georgalas et al. (US Patent Application Publication 2005/0216498, hereinafter referred as Georgalas) in view of Davis et al. (US Patent Application Publication 2004/0024888, hereinafter referred as Davis).

As to claim 1, Georgalas discloses a method for validating and configuring a database transaction request (configure and validate request based on rules, paragraph [0009]), the method comprising the computer implemented steps of:

identifying a first transaction criteria (associated rules/policies, paragraph [0031]-[0033]) of a plurality of transaction criteria (rule store, paragraph [0029], lines 4-6) in a singleton in-memory object (policies are stored in an in-memory, XML-based database, paragraph [0099], [0127]) by reading a client identifier element value (identification of role, paragraph [0060]) specified in a database transaction request, wherein each of the plurality of transaction criteria is associated with a respective client (each policies is associated with role, Figure 1, item 131);

determining default data for a database path (paragraph [0073]) based on the client identifier element value; and

generating a database command (store data or query, paragraph [0072]) including the default data (paragraph [0027], [0073], lines 1-3).

Georgalas discloses the elements of claim 1 as noted above but does not explicitly disclose determining default data for a database path based on the client identifier element value.

Davis discloses a rule manager that retrieves rules based on customer information (paragraph [0014], lines 11-14, paragraph [0028]) and the default data is based on the customer information retrieved from customer bag (paragraph [0037], lines 14-17, for example, different customer received different discount value, Figure 4A, paragraph [0039], lines 13-15).

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Georgalas's disclosure to include customized default data as taught by

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Davis for the purpose of providing an improved personalization as the transaction is taking place (paragraph [0005], lines 8-14, Davis). The skilled artisan would have been motivated to improve the invention of Georgalas per the above such that transaction can be customized based on the circumstance of the transaction. (paragraph [0005], lines 4-5, Davis).

**As to claim 2**, Georgalas discloses the method of claim 1, wherein the database transaction request is included in an extensible markup language document (paragraph [0065], lines 8-10, paragraph [0067], lines 15-17).

**As to claim 3**, Georgalas discloses the method of claim 1, wherein the step of determining includes: determining the transaction request does not specify data for the database path (use default data when no policies have been set, paragraph [0129], lines 17-24).

**As to claim 4**, Georgalas discloses the method of claim 3, further including: evaluating a required element of the first transaction criteria; and responsive to evaluating the required element, determining the database transaction request is not required to specify data for the database path (optional condition for true/false, paragraph [0063], lines 3-10).

**As to claim 5**, Davis discloses the database command is a structured query language command (paragraph [0031], lines 13-15).

**As to claim 6**, Georgalas discloses the method of claim 1, including: identifying a second transaction criteria by reading a client identifier element value specified in a second database transaction request; and determining the second database transaction request does not include data for a database path specified in the second transaction criteria (data element should include class path to run without error, paragraph [0096]).

**As to claim 7**, Georgalas discloses the method of claim 7, including: evaluating a required element of the second transaction criteria; and generating an error (return failure indication based on policy, paragraph [0133], lines 15-20).

**As to claim 8**, Georgalas discloses the method of claim 7, wherein the required element indicates the second database transaction request is required to include data for the database path specified in the second transaction criteria (data element should include class path to run without error, paragraph [0096]).

**As to claim 9**, Georgalas discloses the method of claim 1, wherein the default data is specified in the first transaction criteria (paragraph [0131], lines 15-21).

**As to claim 10**, is directed to a computer readable medium carrying instructions for performing the methods of claim 1 and is rejected along the same rationale.

**As to claim 11**, is directed to a computer readable medium carrying instructions for performing the methods of claim 2 and is rejected along the same rationale.

**As to claim 12**, Georgalas discloses the computer program product of claim 10, wherein the first instructions are an extensible markup language parser (paragraph [0084], lines 5-10, paragraph [0129], lines 1-5).

**As to claim 13**, is directed to a computer readable medium carrying instructions for performing the methods of claim 5 and is rejected along the same rationale.

**As to claim 14**, is directed to a computer readable medium carrying instructions for performing the methods of claim 9 and is rejected along the same rationale.

**As to claim 15**, is directed to a data processing system for performing the methods of claim 1 and is rejected along the same rationale.

**As to claim 16**, Georgalas discloses the data processing system of claim 15, further comprising a network adapter for receiving the database transaction request (client request and data server are connected to communication network, para [0069]).

**As to claim 17**, is directed to a data processing system for performing for performing the methods of claim 9 and is rejected along the same rationale.



As to **claim 18**, is directed to a data processing system for performing for performing the methods of claim 7 and is rejected along the same rationale

As to **claim 19**, is directed to a data processing system for performing for performing the methods of claim 8 and is rejected along the same rationale.

As to **claim 20**, Georgalas discloses the data processing system of claim 15, wherein a plurality of transaction criteria are identified based on the client identifier element value 9 each policy is associated with role, Figure 1, item 131).

#### ***Related Prior Arts***

The following list of prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Beavin; Thomas Abel et al., US 5940819 A, "User specification of query access paths in a relational database management system".
- Carr, Richard et al., US 20020156687 A1, "Method and apparatus for dynamically maintaining and executing data definitions and/or business rules for an electronic procurement system"

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shew-Fen Lin  
Patent Examiner



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August 31, 2006



**MOHAMMAD ALI  
PRIMARY EXAMINER**